

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Rule 5 May 03, 2018

SEAN F. McAVOY, CLERK

EP-18-M-2800-MAT

MICHAEL C. ORMSBY
United States Attorney
Eastern District of Washington
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Assistant United States Attorney
Post Office Box 1494
Spokane, WA 99210-1494
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UNITED STATES DISTRICT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

4:15-CR-6049-EFS

SECOND SUPERSEDING
INDICTMENT

Vio: 21 U.S.C. § 846
Conspiracy to Distribute 500
Grams or More of a Mixture or
Substance Containing a
Detectable Amount of
Methamphetamine, 5 Kilograms
or More of Cocaine, 1 Kilogram
or More of Heroin and 400 grams
or More of N-phenyl-N
Propanamide
(Count 1)

Vio: 18 U.S.C. § 1956(h)
Conspiracy to Commit Money
Laundering (Count 2)

Vio: 21 U.S.C. § 841(a)(1),
(b)(1)(A)(ii)
Possession with the Intent to
Distribute 5 Kilograms or more of
Cocaine (Count 3)

SECOND SUPERSEDING INDICTMENT – 1

Second Superseding.Indictment.docx

MARCIAL BRAVO ZAMBRANO,

Defendants.

Vio: 18 U.S.C. § 1956(a)(1)(B)(i)
Money Laundering
(Counts 4, 5, 6, 7, 10, 11, 12, 14)

Vio: 21 U.S.C. § 841(a)(1),
(b)(1)(A)(viii)
Possession with the Intent to
Distribute 50 grams or more of
Actual Methamphetamine
(Count 8)

Vio: 18 U.S.C. 1956(a)(1)(B)(i)
International Money Laundering
(Counts 9, 13)

Vio: 21 U.S.C. § 841(a)(1),
(b)(1)(A)(i), (vi)
Possession with the Intent to
Distribute 1 Kilogram or More of
a Mixture or Substance
Containing Heroin and
400 grams or More of a Mixture
or Substance Containing N-
phenyl-N Propanamide
(Count 15)

Notice of Criminal Forfeiture
Allegations

The Grand Jury Charges:

COUNT ONE

Beginning on a date unknown but by on or about January 2010 continuing
until on or about December 6, 2016, in the Eastern District of Washington and
elsewhere, the Defendants, [REDACTED]

SECOND SUPERSEDING INDICTMENT – 2

Second Superseding.Indictment.docx

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] MARCIAL BRAVO

ZAMBRANO, [REDACTED]

[REDACTED]

did knowingly and intentionally combine, conspire, confederate and agree together with each other and other persons, both known and unknown to the Grand Jury, to commit the following offense against the United States, to wit: distribution of 500 grams or more of a mixture or substance containing a detectable amount of Methamphetamine, 5 kilograms or more of a mixture or substance containing a detectable amount of Cocaine, 1 kilograms or more of a mixture or substance containing a detectable amount of heroin and 400 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N Propanamide, all Schedule II controlled substances, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(i), (ii)(I), (vi), and (viii); all in violation of 21 U.S.C. § 846.

SECOND SUPERSEDING INDICTMENT – 3

Second Superseding.Indictment.docx

COUNT TWO

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED],

[REDACTED]

[REDACTED],

[REDACTED]

[REDACTED]

(1956(a)(1))

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

SECOND SUPERSEDING INDICTMENT – 4

Second Superseding.Indictment.docx

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]

(1956(a)(2))

6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]

COUNT THREE

21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
27 [REDACTED]
28 [REDACTED]

COUNT FOUR

[REDACTED]

COUNT FIVE

[REDACTED]

SECOND SUPERSEDING INDICTMENT – 6

Second Superseding Indictment.docx

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]

COUNT SIX

17
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
27 [REDACTED]
28 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]

11 **COUNT SEVEN**

12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
27 [REDACTED]
28 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 **COUNT EIGHT**

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 **COUNT NINE**

15 [REDACTED]

16 [REDACTED],

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

26 [REDACTED]

27 [REDACTED],

28 [REDACTED]

SECOND SUPERSEDING INDICTMENT – 9

Second Superseding.Indictment.docx

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 **COUNT TEN**

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

26 [REDACTED]

27

28

COUNT ELEVEN

[REDACTED]

COUNT TWELVE

[REDACTED]

SECOND SUPERSEDING INDICTMENT – 11

Second Superseding Indictment.docx

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]

15
16 **COUNT THIRTEEN**

17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
27 [REDACTED]
28 [REDACTED],

SECOND SUPERSEDING INDICTMENT – 12

Second Superseding Indictment.docx

COUNT FIFTEEN

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

The allegations contained in this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures.

Pursuant to 21 U.S.C. § 853, upon conviction of an offense of violation of 21 U.S.C. § 846, [REDACTED]

[REDACTED]

[REDACTED],

[REDACTED]

[REDACTED],

1 [REDACTED],
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]),
5 [REDACTED]
6 [REDACTED]
7 [REDACTED], MARCIAL BRAVO
8 ZAMBRANO, [REDACTED]
9 [REDACTED]
10 [REDACTED] and, shall forfeit to the United
11 States of America, any property constituting, or derived from, any proceeds
12 obtained, directly or indirectly, as the result of such offense(s) and any property
13 used or intended to be used, in any manner or part, to commit or to facilitate the
14 commission of the offense(s).
15

16
17 If any forfeitable property, as a result of any act or omission of the
18 Defendants:

- 19
20 (a) cannot be located upon the exercise of due diligence;
21 (b) has been transferred or sold to, or deposited with, a third party;
22 (c) has been placed beyond the jurisdiction of the court;
23 (d) has been substantially diminished in value; or
24 (e) has been commingled with other property which cannot be divided
25 without difficulty;
26
27
28

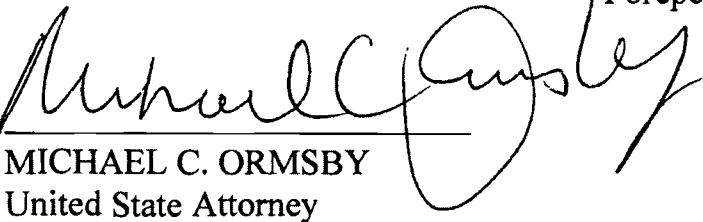
1 the United States of America shall be entitled to forfeiture of substitute property
2 pursuant to 21 U.S.C. § 853(p).
3


4 DATED this ____ day of December 2016.
5

6 A TRUE BILL
7

8 

9 Foreperson

10 
11
12 MICHAEL C. ORMSBY
13 United State Attorney

14 
15
16 Stephanie A. Van Marter
17 Assistant United States Attorney
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AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
Eastern District of WashingtonUnited States of America
v.
MARCIAL BRAVO ZAMBRANO

Case No. 4:15-CR-6049-EFS-20

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) MARCIAL BRAVO ZAMBRANO
who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☒ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

21 U.S.C. 846 - CONSPIRACY TO DISTRIBUTE 500 GRAMS OR MORE OF A MIXTURE OR SUBSTANCE CONTAINING A
DETECTABLE AMOUNT OF METHAMPHETAMINE, 5 KILOGRAMS OR MORE OF COCAINE, 1 KILOGRAM OR MORE
OF HEROIN AND 400 GRAMS OR MORE OF N-PHENYL-N PROPANAMIDE

Date: Dec 07, 2016, 10:17 amCity and state: Spokane, Washington
Issuing officer's signatureSean F. McAvoy, Clerk of Court/DCE
Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

FILED

APR 27 2018

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCIAL BRAVO ZAMBRANO,

Defendant.

§
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§
§
§

No. EP-18- M-2800-MAT
(EASTERN DISTRICT OF
WASHINGTON
Case No. 4:15-cr-6049-EFS-20)

GOVERNMENT'S MOTION TO DETAIN DEFENDANT
WITHOUT BOND AND MOTION FOR CONTINUANCE

Comes now the United States of America, by and through the United States Attorney for the Western District of Texas, and pursuant to 18 U.S.C. § 3142(e) and (f), files this, its Motion to Detain Defendant Without Bond and Motion for Continuance, and for cause, would respectfully show unto the Court the following:

1. The Defendant has been charged by indictment for a violation of the Controlled Substances Act which carries a term of imprisonment of over ten (10) years in Case No. 4:15-cr-6049-EFS.

2. The Defendant was arrested on a warrant out of the Eastern District of Washington, charging Defendant with a violation of Title 21, United States Code, Section 846 – Conspiracy to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, 5 kilograms or more of cocaine, 1 kilogram or more of heroin, and 400 grams or more of N-phenyl-N Propanamide.

3. The Defendant has a prior criminal history.

4. The Defendant is a United States citizen, who is an absconder, with strong ties to Mexico, and, as such, presents a high risk of fleeing to avoid prosecution on this charge.

5. There are no conditions or combination of conditions which will reasonably assure the safety of the community should Defendant be released on bond.

6. There are no conditions or combination of conditions which will reasonably assure the appearance of the Defendant at future court settings.

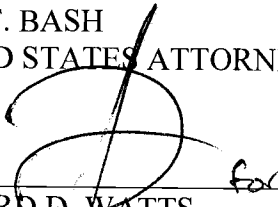
The Government would further move the Court for a three day continuance of the detention hearing from the date of the initial appearance.

WHEREFORE, premises considered, the Government respectfully prays the Court to hold the above-named Defendant without bail pending the final outcome of this case.

Respectfully submitted,

JOHN F. BASH
UNITED STATES ATTORNEY

By:



RICHARD D. WATTS
Assistant U.S. Attorney
New Mexico Bar #9059
700 E. San Antonio, Suite 200
El Paso, Texas 79901
(915) 534-6884

Filed: 04/29/2018
Clerk, U.S. District Court
Western District of Texas

By: RRV
Deputy

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

USA

vs.

(1) MARCIAL BRAVO ZAMBRANO
Defendant

§
§
§
§
§

Case Number: EP:18-M -02800(1)

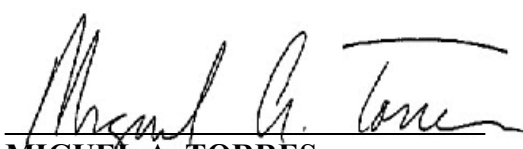
ORDER APPOINTING COUNSEL

The above named Defendant has testified under oath, or has otherwise satisfied this court that he or she is financially unable to employ counsel, and does not wish to waive counsel.

Because the interests of justice so require, the Federal Public Defender, of this District is hereby appointed, pursuant to the provisions of the Criminal Justice Act, to represent said Defendant in this case.

This appointment shall remain in effect until further order of this court.

It is, accordingly, so ORDERED this 29th day of April, 2018.


MIGUEL A. TORRES
UNITED STATES MAGISTRATE JUDGE

bet

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

USA

vs.

(1) MARCIAL BRAVO ZAMBRANO

Defendant

§
§
§
§
§
§

Case Number: EP:18-M -02800(1) MAT
21:841 & 21:846

INITIAL APPEARANCE

On **April 27, 2018**, the defendant appeared in Open Court before U.S. Magistrate Judge **MIGUEL A. TORRES**. The defendant affirmed being the person named in the charging document.

The defendant was advised as follows:

- 1) The nature of the charge against him/her;
- 2) The right to retain counsel or to request the assignment of counsel if he/she is unable to obtain counsel;
- 3) That he/she is not required to make any statement and that any statement he/she makes may be used against him/her;
- 4) The right to a preliminary examination if not indicted;
- 5) The right to consideration of bail;
- 6) The right to have the government or a federal law enforcement official notify a consular officer from his/her home country of nationality of the arrest.

Attorney

(X) Counsel Appointed / Retained: **534-6525, Federal Public Defender**

Next Hearing Date/Time: Before U.S. Magistrate Miguel A. Torres

(X) **IDENTITY / DETENTION HEARING May 02, 2018 at 09:30 AM**

525 Magoffin Avenue, El Paso, TX 79901 Magistrate Courtroom, Room 712

Bond

(X) No Bond Set. Temporary Detention Ordered.

Interpreter Needed: Interpreter:Spanish **Record FTR Gold**

Time: 2:45 - 3:06 = 00 mins **Arrest Date:** _____
County

Arresting Agency: FBI -
Courtroom Deputy: Rita R Velez - (915) 834-0519

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

USA

vs.

(1) MARCIAL BRAVO ZAMBRANO

§
§
§
§
§

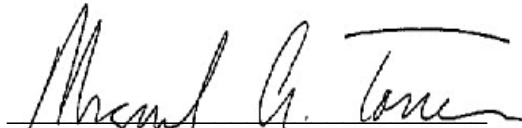
Case Number: EP:18-M -02800(1)

ORDER SETTING IDENTITY / DETENTION HEARING

IT IS HEREBY ORDERED that the above entitled and numbered case is set before the **HONORABLE U.S. MAGISTRATE MIGUEL A. TORRES** for **IDENTITY / DETENTION HEARING**, May 02, 2018 at 09:30 AM in **Magistrate Courtroom, Room 712**.

IT IS FURTHER ORDERED that the Clerk of Court shall send a copy of this order to the defendant, counsel for defendant, the United States Attorney, U.S. Pretrial Services, United States Probation Office, and any surety or custodian, if applicable. Further, counsel for the defendant shall notify the defendant of this setting. If the defendant is on bond, he/she shall be present.

IT IS SO ORDERED this **04/27/2018**.



MIGUEL A. TORRES

UNITED STATES MAGISTRATE JUDGE

FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT OF TEXAS

MAUREEN SCOTT FRANCO
FEDERAL PUBLIC DEFENDER

RICHARD C. WHITE FEDERAL BUILDING
700 E. SAN ANTONIO AVENUE, SUITE D-401
EL PASO, TEXAS 79901-7020

TELEPHONE
(915) 534-6525
TOLL FREE
(855) 666-1510
FACSIMILE
(915) 534-6534

DONNA F. COLTHARP
DEPUTY DEFENDER

DARREN L. LIGON
JOSEPH A. CORDOVA
REGINALDO TREJO, JR.
CHRISTOPHER J. CARLIN
HORATIO R. ALDREDGE
BLANCA ROCHA DEL RIO
SUPERVISORY ASSISTANTS

April 30, 2018

SAN ANTONIO
AUSTIN
DEL RIO
PECOS
ALPINE

U.S. District Clerk
Albert Armendariz, Sr.
U.S. Courthouse
525 Magoffin Avenue
El Paso, TX 79901

**RE: Assignment of Defense Counsel In
USA vs. Marcial Bravo Zambrano
Cause No.: EP-18-M-02800-MAT**

Dear Sir/Madam:

Please be advised that I, Assistant Federal Public Defender, Sergio Garcia, am Assigned to the above-referenced case.

Very truly yours,

MAUREEN SCOTT FRANCO
Federal Public Defender

/s/

SERGIO GARCIA
Assistant Federal Public Defender

SG:sr



Department of Justice

*United States Attorney's Office
Western District of Texas
El Paso Division*

700 E. San Antonio Ave, Suite 200
El Paso, Texas 79901

Phone: (915) 534-6884
Facsimile: (915) 534-6024

April 30, 2018

United States District Clerk
Western District of Texas
525 Magoffin Avenue
El Paso, Texas 79901

RE: U.S. v. MARCIAL BRAVO ZAMBRANO
Case No.: EP-18-M-2800-MAT

Dear Sir or Madam:

This is to advise you that the undersigned Assistant United States Attorney is currently the attorney assigned to represent the United States in the above-entitled and numbered cause on all matters forthwith. Please update your records to accurately reflect this information.

Thank you for your attention to this matter.

Respectfully submitted,

JOHN F. BASH
UNITED STATES ATTORNEY

By: /s/
RICHARD D. WATTS
Assistant U.S. Attorney
New Mexico Bar #9059
700 E. San Antonio, Suite 200
El Paso, Texas 79901

Filed 5/2/18
 Clerk, U. S. District Court
 Western District of Texas
 By _____ Deputy

IN THE UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF TEXAS
 EL PASO DIVISION

UNITED STATES OF AMERICA,

vs.

Marcial Bravo Zambrano

Defendant.

§
§
§
§
§
§

CAUSE NO. EP-18-M-2800-MAT

WAIVER OF RULE 5(c)(3) HEARINGS

I, Marcial Bravo Zambrano understand that charges are pending against me in another district. I have been arrested in this district and taken before a United States Magistrate Judge who informed me of those charges(s), the applicable penalties, and of my right to: (1) retain counsel or request the appointment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing, and or (4) a hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe the charged offense(s) has/have been committed by me, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO:

- ~~Preliminary hearing~~
- ~~1~~ ~~X~~ Preliminary hearing in El Paso but I request that a preliminary hearing be held in the prosecuting district
- ~~3~~ ~~X~~ Identity hearing
- ~~2~~ ~~X~~ ~~Detention hearing~~
- ~~X~~ Detention hearing in El Paso but I request that a detention hearing be held in the prosecuting district

____ Government withdrew Motion to Detain Defendant Without Bond and agreed to a bond in the amount of: _____

5-2-18
 Date

MBA
 Defendant

 Defense Counsel